

**REMARKS**

As a preliminary matter, Applicant thanks the Examiner for discussing this case with Applicant's representative. During the interview, the Examiner clarified the basis for his rejections of the claims. Also, during the interview, Applicant's representatives asked the Examiner which features of the allowable claims, specifically claim 4, the Examiner believes render the allowable claims patentable over the art of record. In response, the Examiner indicated that "generating said revised input data corresponding to the input data based on the index information" is a feature of claim 4 that renders this claim patentable over the art. Applicant incorporates this patentably distinguishable feature in some of the claims, as discussed below.

Claims 1-18 are all the claims pending in the application. Applicant thanks the Examiner for indicating that claims 4-12, 12, and 15 contain allowable subject matter and would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Claims 4, 15, and 16 are amended, as indicated herein, to place them in independent form, therefore Applicant believes that claims 4-12, 15, and 16 should be allowed..

The Examiner withdrew the §112, second paragraph rejection set forth in the previous Office Action, however, the Examiner maintains the same prior art rejections as set forth previously. That is, claims 1, 2, and 13 remain rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Gross (U.S. Patent No. 4,326,260). Claim 3 remains rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Gross. Finally, claims 1, 13, 14, 17 and 18 remain rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Duvanenko et al (U.S. Patent No. 5,951,625), hereinafter referred to as Duvanenko.

§102(b) Rejections (Gross) - Claims 1, 2, and 13

The Examiner rejects claims 1, 2, and 13 over Gross for the same reasons set forth in the previous Office Action, and the Examiner adds a few new arguments in numbered paragraph 5, on page 3 of the present Office Action.

With respect to claim 1, Applicant amends this claim, as indicated herein, to incorporate some of the features of claim 4 that the Examiner indicated, during the Examiner interview, render claim 4 patentable. That is, Applicant submits that Gross does not teach or suggest at least, “wherein said revised input data corresponding to the input data is based on index information,” as the Examiner acknowledged during the interview that Gross does not disclose that revised input data corresponding to the input data is based on index information.

Applicant submits that dependent claims 2 and 13 are patentable at least by virtue of their dependency from independent claim 1. Applicant also amends claim 4 to place it in independent form so that it would not be affected by our proposed changes to claim 1.

§103(a) Rejection (Gross) - Claim 3

Claim 3 is rejected for substantially the same reasons set forth in the previous Office Action. Applicant submits that claim 3 is patentable at least by virtue of its dependency from claim 1.

Further, with respect to claim 3, Applicant submits that Gross does not even show “evenly spaced seed points,” as described in claim 3. That is, even if, *assuming arguendo*, the breakpoint values of Gross correspond to the claimed “seed points”, nowhere does Gross show evenly spaced breakpoint values. *See, for example, Fig. 4 (there are no evenly spaced breakpoint values therein.)*

**§102(b) Rejections (Duvanenko) - Claims 1, 13, 14, 17 and 18**

Claims 1, 13, 14, 17 and 18 are rejected for the same reasons set forth in the previous Office Action.

With respect to the rejection of claim 1, Applicant submits that this claim is patentable for the same reasons set forth above, as the Examiner indicated that the feature “revised input data corresponding to the input data is based on index information” renders claim 1 patentable over the applied references, including Duvanenko.

With respect to independent claim 14, Applicant amends this claim and submits that this claim is patentable over Duvanenko for reasons similar to those set forth above with respect to claim 1. Applicant submits that dependent claims 17 and 18 are patentable at least by virtue of their dependency from independent claim 14.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**AMENDMENT UNDER 37 C.F.R. § 1.116**  
**U. S. Application No. 09/755,189**

**ATTORNEY DOCKET NO. Q62412**

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Diallo T. Crenshaw  
Registration No. 52,778

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: November 18, 2004